IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.2877 OF 2005

French Bank Staff Union & ors. .. Petitioners
v/s.
M/s.BNP Paribas & ors. .. Respondents

Mr.K.K.Singhavi with Mr.Susheel Mahadeshwar with Ms.Ranjana Todankar for petitioners.

Mr.P.K.Samdhani with Mr.Sandeep Bhimkar i/by M/s.Wadia Ghandy & Co. for res.No.1.

Mr.N.V.Masurkar with Mr.R.C.Master for res.No.3.

Respondent Nos.2 and 3 are served.

CORAM : H.L. GOKHALE &
S.R. DONGAONKAR, JJ.

DATED : 28th March 2006

P.C. :

1. Heard the learned Counsel for the parties.

2. The petition makes a grievance that petitioner Nos.2 to 25 and some others who are around 34 in number are having their savings bank accounts in the 1st respondent-bank and they are being told that their accounts will be closed and will be shifted to the UTI Bank. The petitioners have challenged this decision.

3. The defence of the 1st respondent is that it is a matter of reorganization of the bank and its activities and for that purpose necessary

permission has been obtained from the 2nd respondent-RBI.

4. In the meanwhile the 1st petitioner-Union has taken a dispute to the Regional Labour Commissioner (Central) and he has referred the dispute for adjudication to the Central Government Industrial Tribunal-cum-Labour Court No.2 by his order dated 27th February 2006. The dispute referred is as follows:-

> " Whether the action of the management of BNP Paribas, Mumbai by not issuing the notice under Section 9-A of the Industrial Disputes Act, 1947 and abruptly changing the mode of salary payment of the staff is justified? If not, what relief the Union i.e. French Bank Staff Union is entitled to?

5. Mr.Samdhani, learned Counsel appearing for 1st respondent, states that although the 1st petitioner has its own defence, during the pendency and final disposal of that dispute before the Tribunal, the 1st respondent will permit the concerned employees to continue to operate their accounts. We are told that such accounts are

operated by some existing employees and some retired employees. It is stated by the 1st respondent-bank on affidavit that some of the employees have shifted their accounts to the UTI Bank.

6. In view of this statement made by Mr.Samdhani, the existing accounts of the employees and the retired employees in the 1st respondent-bank will continue till the disposal of the Reference. The Tribunal will endeavour to dispose of the Reference expeditiously.

7. Petition stands disposed of with the above order.

(H.L. GOKHALE, J.)

(S.R. DONGAONKAR, J.)